

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

PATRICK F. D'CUNHA,
Plaintiff,

v.

GENOVESE/ECKERD CORPORATION,

Defendant.

No. 02-cv-4157

ORDER ON FINAL PRETRIAL
CONFERENCE

On December 2, 2009, the court met with plaintiff and defendant's counsel for an hour to discuss the upcoming jury trial, scheduled to begin at 8:30 a.m. on December 7, 2009 in Courtroom Room N2F, with the jury probably arriving in the courtroom at 9:30 a.m.

The court received arguments on motions in limine and to reconsider rulings on defendant's motions to dismiss. The court provided counsel with a first draft of jury instructions.

The court denied plaintiff's motions in limine without prejudice to the objections to evidence being renewed during the trial. The court granted the defendant's motion in limine only with respect to a direction that no person shall mention in the presence of the jury any part of the decision of the U.S. Court of Appeals for the Second Circuit reversing the summary judgment entered against plaintiff D'Cunha. Otherwise, defendant's motions in limine are denied without prejudice to the objections to evidence being presented during the trial.

The court will hold a final meeting with plaintiff and counsel for defendant outside the presence of the jury at 8:30 a.m. on December 7, then will begin jury selection from 9:00 to 9:30 a.m.

SO ORDERED.

Dated this 3rd day of December, 2009.

/S/

CHARLES R. WOLLE, JUDGE
U.S. DISTRICT COURT